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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,941	04/01/2005	Kazuhiro Watanabe	F-8636	8050

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NEW YORK, NY 10168

EXAMINER

HANAN, DEVIN J

ART UNIT	PAPER NUMBER
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3745

MAIL DATE	DELIVERY MODE
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10/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/529,941

Applicant(s)

WATANABE ET AL.

Examiner

Devin Hanan

Art Unit

3745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/6/2007 as an amendment.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-6 and 8-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-5 and 9 is/are allowed.
- 6) ☒ Claim(s) 1 and 6 is/are rejected.
- 7) ☒ Claim(s) 8, 10 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 9/6/2007 have been fully considered but they are not persuasive. The applicant argues that the Lyon reference does not show connection portions that are formed in one piece and are sloped concave portions that are diagonally depressed. The examiner notes the drawings of the applicant and the Lyon reference do appear to be different, but the connection portions (15) of the Lyon reference do appear concave (fig 4) and diagonally depressed (the blades 12 are twisted, see col. 2, lines 61-65).

Applicant's arguments, see remarks, filed 9/6/2007, with respect to the combination of references have been fully considered and are persuasive. The rejection of claims 3-5 and 8-9 has been withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Lyon (U.S. Patent 2,779,424).

Lyon discloses a fan with a ring comprising

a cylindrical ring portion (fig 2, 7); and

a plurality of blade portions (12) located within the ring portion and projected radially from a boss portion (5), wherein

the fan with ring comprises connection portions (15) constituted by connecting in one piece part of a front end edge of each of the blade portions with part of an edge of the ring portion,

the blade portions, the ring portion, and the boss portion are molded in one piece form a press molded form of a single metal plate (col. 1 lines 48-50),

a blade surface of each of the blade portions has a sloped plane twisted relative to a plane of the boss portion (col. 2 lines 59-64), and

the connection portions at the front ends of the blade portions are formed in one piece such that sloped concave portions, that are diagonally depressed, with edges included in the ring portion, are flush with the sloped planes.

Regarding claim 6, Lyon discloses a method of manufacturing a fan with ring comprising the steps;

plastically working a metal plate into a shallow pan shape so as to form a cylindrical ring portion on a periphery (col. 1 lines 48-50);

forming a plurality of sloped concave portions for formation of blade portion sloped surface on an outer side of a pan bottom (col. 1 lines 69-72), the sloped concave portions being evenly spaced apart from one another along a circumference and being

depressed radially from a center of a pan bottom with edges of the sloped concave portion included in peripheries of the pan shape;

forming the boss portion at a center of a bottom portion of the pan shape (col. 1 lines 54-55);

slitting and forming blade portions radially from the boss portion such that the sloped concave portions constitute part of the respective blade portions (col. 2 lines 74-50); and

cutting around the blade and sloped concave portions, except for a part connecting the blade portions with the boss portion, and a boundary portions and the ring portions for use as a connection portion, such that the boundary constitutes the sloped concave portion itself (col. 2 lines 59-64).

Allowable Subject Matter

Claims 3-5 and 9 are allowed.

Claims 8 and 10-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Relevant Prior Art

The patents to Sparks (U.S. Patent 1,072,189) and Merz (U.S. Patent 3,189,982) are cited for their teaching of fans made from pans.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devin Hanan whose telephone number is 571-272-6089. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Look can be reached on 571-272-4820. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3745

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Devin Hanan
Patent Examiner
Art Unit 3745



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9/27/07